

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76GJ 138412-00 STATEMENT OF CLAIM

Version: 2 -- REEXAMINED

Version Status: ACTIVE

Owners: JOHN W MCDONALD JR
PO BOX 8
PHILIPSBURG, MT 59858

ESTHER J MCDONALD
PO BOX 8
PHILIPSBURG, MT 59858

Priority Date: DECEMBER 31, 1877

Enforceable Priority Date: DECEMBER 31, 1877

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 11.25 CFS

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 231.00

Source Name: FLINT CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	10	6N	14W	GRANITE

Period of Diversion: MAY 1 TO OCTOBER 31

Diversion Means: HEADGATE

Ditch Name: MCLEOD DITCH

Period of Use: MAY 1 to OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	101.00		W2E2	3	6N	14W	GRANITE
2	48.00		W2SW	3	6N	14W	GRANITE
3	46.00		E2E2W2	3	6N	14W	GRANITE
4	25.00		E2E2SE	4	6N	14W	GRANITE
5	1.00		NWSWSE	34	7N	14W	GRANITE
6	4.00		SWSWSE	34	7N	14W	GRANITE
7	6.00		SESESW	34	7N	14W	GRANITE
Total:	231.00						

Geocodes/Valid: 46-1475-03-1-01-01-0000 - Y 46-1475-04-4-01-01-0000 - Y
46-1573-34-4-01-01-0000 - Y

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

AN AMENDMENT WAS SUBMITTED ON 11/05/2015 REQUESTING TO AMEND THE FLOW RATE. THE AMENDMENT WAS NOT PROCESSED. THE AMENDMENT WILL BE REVIEWED AFTER THE ISSUANCE OF THE PRELIMINARY DECREE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 450 INCHES DECREED IN CASE NO. 655 OF THE CIRCUIT COURT OF THE UNITED STATES, NINTH CIRCUIT, DISTRICT OF MONTANA. 114319-00, 114322-00, 138412-00.

Remarks:

DITCH NAME MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.